

Object of this section and effect of an order of sale thereunder. This section should never be applied except in very plain and unquestionable cases, and even then, only after a full hearing. Proof held insufficient to justify a sale. The bill of complaint may be amended after the decree of sale. *Kelly v. Gilbert*, 78 Md. 435. And see *Title Co. v. Burdette*, 104 Md. 673; *Donohue v. Daniel*, 58 Md. 600; *Washington, etc., R. R. Co. v. Southern, etc., R. R. Co.*, 55 Md. 156; *Cornell v. McGann*, 37 Md. 99; *Dorsey v. Garey*, 30 Md. 498.

To justify a sale under this section, it should appear beyond a reasonable doubt that a sale must be inevitably decreed at the final hearing. A sale under this section upheld. Proper parties. *Donohue v. Daniel*, 58 Md. 597. And see *Washington, etc., R. R. Co. v. Southern, etc. R. R. Co.*, 55 Md. 156; *Cornell v. McGann*, 37 Md. 99.

Upon satisfactory proof as prescribed in this section, the court may pass an order of sale at any time after bill filed, without waiting for the defendant's appearance or answer. Proof held sufficient. This section applied. Section 217 must be read in connection with, and is subordinate to, this section. The discretion of the court in ordering a sale, is reviewable on appeal. What "final decree" is contemplated by this section? *Dorsey v. Dorsey*, 30 Md. 528. And see *Cornell v. McGann*, 37 Md. 99.

No appeal lies from the refusal to order a sale under this section, nor from the rescission of an order of sale. An appeal lies, however, under article 5, section 21, from an order directing a sale. *Washington, etc., R. R. Co. v. Southern, etc., R. R. Co.*, 55 Md. 155. *Cf. Dorsey v. Garey*, 30 Md. 499.

A decree of sale under this section, cannot be inquired into collaterally, provided the court had jurisdiction. *Dorsey v. Garey*, 30 Md. 499.

A sale held not to have been ordered under this section, and that the proof did not justify a sale thereunder. *Cornell v. McCann*, 37 Md. 98. *Cf. Dorsey v. Garey*, 30 Md. 495.

It is the habit of the court to apply this section in applications for sales of real estate to pay debts. under section 218. *Hammond v. Hammond*, 2 Bl. 359.

1904, art. 16, sec. 208. 1888, art. 16, sec. 193. 1860, art. 16, sec. 130.  
1835, ch. 380, sec. 2.

**223.** The court may decree a sale to enforce a vendor's lien upon any estate in lands, whether legal or equitable, or may decree a sale to enforce any other equitable lien thereon, although the complainant may have a perfect remedy at law for the money for which the lien is claimed.

This section applied. *Bratt v. Bratt*, 21 Md. 584.

This section referred to in construing section 224—see notes thereto. *Stephens v. Magruder*, 31 Md. 173.

As to mechanic's liens, see art. 63.

As to vendor's liens, see art. 66, sec. 31, *et seq.*

*Ibid.* sec. 209. 1888, art. 16, sec. 194. 1860, art. 16, sec. 131. 1841, ch. 216.

**224.** The court shall have full power and authority, on application by bill or petition of the trustee appointed by said court to sell real estate, to compel the purchaser thereof to comply with all or any of the terms of such sale, by process of attachment or other execution suited to the case; or the said court, upon such application, may direct the property purchased to be re-sold, at the risk of such purchaser, upon such terms as the court may direct; and in such case, if the proceeds of the re-sale, after payment of the expenses thereof and of all costs of proceeding, shall not be equal to the payment of the purchase money originally bid therefor, the court may order and direct the difference to be paid by the said purchaser, and enforce such order by execution.